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RL:0298

Proposal 53 and 534 RELATING TO ENVIRONMENTAL PROTECTION

Statement for
Con Con Committee on Environment, Agriculture,
Conservation and Land
Public Hearing 9 August 1978

by
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Proposal 53 and 534 would establish in the Constitution the policies of environmental protection and natural resource conservation generally, and particularly the preservation and management of shoreline open spaces and scenic resources. This statement on the proposal does not reflect an institutional position of the University of Hawaii.

The policies proposed for constitutional recognition do not appear to be controversial. If there are any objections, it rests in the possibility that interpretations of the policies by the courts would be necessary from time to time. This possibility cannot be entirely avoided. However, it should be recognized that to a certain extent the proposed policies are already expressed in the Constitution, and their stronger statement is proposed in other proposals in addition to proposals 53 and 534, for example proposals 482 and 536.

The delegates of the Constitutional Convention should choose, from a number of proposals, those few that will strengthen the Constitutional policies on conservation.

When the delegate of the Constitutional Convention have decided what strengthening of the statement of conservation policies is desirable in the Constitution, it should assure that the measures it actually recommends are presented as simply as possible without undue duplication.